

S/N 09/600094

PATENT

#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	BUCHWALD et al.	Docket No.:	12335.1USWO
Serial No.:	09/600094	Filed:	July 11, 2000
Int'l Appln No.:	PCT/US99/00613	Int'l Filing Date:	January 12, 1999
Title:	METHOD AND APPARATUS FOR DETERMINING BLOOD OXYGEN TRANSPORT		

CERTIFICATE UNDER 37 CFR 1.10

'Express Mail' mailing label number: E 415888230US

Date of Deposit: August 22, 2000

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By:

Name: Linda McCormick

COMMUNICATION REGARDING MISSING REQUIREMENTS

BOX PCT

Assistant Commissioner for Patents

Washington, D.C. 20231

Dear Sir:

In connection with the above-identified application, enclosed please find the originally signed Combined Declaration and Power of Attorney. Also enclosed is our check in the amount of \$130.00 to cover the Missing Requirements completion fee. A copy of the Notification of Missing Requirements is enclosed herewith.

Respectfully submitted,

MERCHANT &amp; GOULD P.C.

P.O. Box 2903

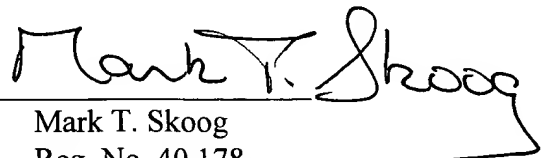
Minneapolis, MN 55402-0903

(612) 332-5300

Dated:

Aug 22, 2000

By



Mark T. Skoog  
Reg. No. 40,178  
MTS:jjw

Applicant:	BUCHWALD et al.	Examiner:	Unknown
Serial No.:	09/600094	Group Art Unit:	Unknown
Filed:	July 11, 2000	Docket:	12335.1USWO
Notice of Allow. Date:	NA	Batch No.:	Unknown
Due Date:	September 8, 2000		
Title:	METHOD AND APPARATUS FOR DETERMINING BLOOD OXYGEN TRANSPORT		

CERTIFICATE UNDER 37 CFR 1.10

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By: *Linda McCormick*  
Linda McCormick

BOX PCT  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Signed Combined Declaration and Power of Attorney
- ☒ Check in the amount of \$130.00 for Missing Requirements completion fee
- ☒ Other: Communication Regarding Missing Requirements; copy of Notification of Missing Requirements
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.  
P.O. Box 2903, Minneapolis, MN 55402-0903  
612.332.5300

By: *Mark T. Skoog*  
Name: Mark T. Skoog  
Reg. No.: 40,178  
MTS:jjw



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Patent and Trademark Office  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231

09/600094

H 12335.1USWO ✓

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
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MARK T SKOOG  
PO BOX 2903  
MINNEAPOLIS MN 55402-0903

5071

PCT/US99/00613  
INTERNATIONAL APPLICATION NO.

I.A. FILING DATE 01/13/99 PRIORITY DATE 01/12/98

DATE MAILED: 08/08/00

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
- ☒ an Elected Office (37 CFR 1.495):
- ☒ U.S. Basic National Fee.
- ☒ Copy of the international application in:
  - ☐ a non-English language.
  - ☒ English.
- ☐ Translation of the international application into English.
- ☐ Oath or Declaration of inventors(s) for DO/EO/US.
- ☐ Copy of Article 19 amendments.
- ☐ Translation of Article 19 amendments into English.
- ☒ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Translation of Annexes to the International Preliminary Examination Report into English.
- ☒ Preliminary amendment(s) filed Jul 11, 2000 and
- ☒ Information Disclosure Statement(s) filed Jul 11, 2000 and
- ☐ Assignment document.
- ☐ Power of Attorney and/or Change of Address.
- ☐ Substitute specification filed
- ☐ Verified Statement Claiming Small Entity Status.
- ☐ Priority Document.
- ☒ Copy of the International Search Report ☒ and copies of the references cited therein.
- ☐ Other:

*g. A. Reg. Sep 8, 2000  
J. A. Reg. Stat. Feb 8, 2001*

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
  - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
  - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$\_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later that the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice *MUST* be returned with this response.**

Enclosed:

☒ PCT/DO/EO/917 ☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

*John Rudin*  
Telephone: 703 308-9116

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